

AMENDMENT AND RESPONSE

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James H. Alleman
Serial No: 08/252,984
Filed: June 2, 1994

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24. [Once Amended] The method according to claim ⁶~~23~~ further comprising the steps of comparing the incoming direct inward dial telephone number to the preassigned [local] direct inward dial telephone number and if the incoming direct inward dial telephone number does not match the preassigned [local] direct inward dial telephone number associated with the subscriber, terminating the incoming call attempt.

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25. [Once Amended] The method according to claim ⁶~~23~~ further comprising the steps of comparing the incoming direct inward dial telephone number to the preassigned [local] direct inward dial telephone number and if the incoming direct inward dial telephone number does not match the preassigned [local] direct inward dial telephone number associated with the subscriber, answering the incoming call attempt and playing a prerecorded message.

REMARKS

In response to the Office Action mailed August 10, 1994, claims 18, 19, 21, 23-25 have been amended. Applicant offers the following remarks in support of the amendments and in response to the Examiner's remarks.

Examiner Interview Summary

Applicant had requested a Telephone Interview preliminary to the issuance first office action to discuss the case with the Examiner. The intent of an Interview Preliminary to

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the first office action was to clear up any minor problems in the case in an efficient manner and to accelerate ex parte prosecution.

Applicant thanks Examiner Matar for the courtesy of calling the undersigned attorney and granting the telephone interview on August 3, 1994. Examiner Matar called Applicant's attorney before reviewing the new claims and stated there was nothing new to discuss and therefore a telephone interview was unnecessary. Applicant's attorney requested that Examiner Matar call him after reviewing the new claims if there were any issues that could be resolved by telephone before issuance of the first office action.

Rejection of the Claims Under 35 U.S.C. § 112

Claims 18 through 27 were rejected by the Examiner under 35 U.S.C. § 112 second paragraph, for being indefinite. The Examiner raised questions about the order of operation of some of the functions of the apparatus claims and the steps of the method claims. Applicant has added clarifying language throughout the claims to clarify the operation of the claims invention. Applicant respectfully requests reconsideration of the rejected claims, removal of the rejections and allowance of all claims.

Removal of the Business Week Article from Consideration

Claims 1 and 18-27 were rejected under 35 USC §103 as being unpatentable over the IDT machine disclosed in *Business Week* articles and a portion of the applicants own

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specification. Applicant respectfully submits the attached Declaration of James H. Alleman, inventor of the present invention to which this patent application applies, swearing behind the Business Week articles.

Since the *Business Week* Articles are not prior art to the present claimed invention, the rejection of claims 1 and 18-27 under 35 U.S.C. § 103 fails. Applicant respectfully requests reconsideration of the rejected claims, removal of the rejections and allowance of all claims.

REJECTION OF THE CLAIMS UNDER 35 USC §103

Claims 1 and 18-27 were rejected under 35 USC §103 as being unpatentable over Kahn et al. (US Patent No. 4,086,438) in view of Billinger et al. (US Patent No. 4,769,834) and in further view of Srinivasan (US Patent No. 5,185,782).

Applicant respectfully points out that the present invention is quite different from the Kahn et al. patent. The present invention as claimed does not use stored security codes. Identification of the user is based upon which DID number was dialed and which DID number is sent along the trunk line. Also, the present invention does not answer the call but expects the subscriber to hang up (call attempt) so no connection charges are incurred.

On page 6, first full paragraph, of the Office action, the Examiner described the differences between the present invention and the Kahn et al. patent. The Examiner stated that "the claimed invention utilizes information provided by the exchange to identify the

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originating station (such as DID and ANI)." After this characterization the Examiner combines the Billinger et al. patent and the Srinivasan patents with the Kahn et al patent to show the invention to be obvious. Applicant respectfully points out that this characterization of the present invention is incorrect and hence the combination of references is incorrect.

The present invention receives a direct inward dial (DID) number from the telephone exchange on a trunk line. The DID number identifies the number which was dialed by the subscriber. The present invention uses the control means (a processor) to look up the DID number in a database to determine who is making the call attempt. The subscriber can call the claimed invention from any telephone, but the system will only call back to the subscribers telephone number from the database. Thus , although the claimed invention utilizes the DID number, it does not identify the originating station. It uses the DID numbers to determine the subscriber.

Applicant also respectfully points out that the DID and ANI systems are not equivalent and interchangeable. Contrary to the Examiner's assertion on page 7 of the office action, applicant's claims in this patent application are limited to DID numbers. Applicant is not claiming ANI systems and the claims do not cover the use of ANI. Applicant respectfully reserves the right to claim the use of ANI at a later time. ANI numbers do identify the caller, but DID numbers only identify the telephone number of the called number on a trunk line.

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CONCLUSION

Applicant respectfully requests that removal of all rejections of the pending claims and allowance of all claims be granted.

Respectfully submitted,

James Harry Alleman

By his attorney,

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Date Nov. 10, 1994

By

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 10, 1994.

Nov. 10, 1994
Date

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